



07-06-04

IPW 4 RCE

PTO/SB/30 (09-03)

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Request For Continued Examination (RCE) Transmittal Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/005804
	Filing Date	December 3, 2001
	First Named Inventor	Peter Van Voris
	Art Unit	1616
	Examiner Name	Neil Levy
	Attorney Docket Number	47309-00031USP1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☒ Other Petition for 3 Month Extension of Time

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 10-0447 (47309-00031USP1)

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☒ Check in the amount of \$ 1,720.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Janet M. Garetto	Registration No. (Attorney/Agent)	42,568
Signature		Date	July 2, 2004

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01 FC:1801
02 FC:1253770.00 OP
950.00 OP

CHICAGO 289713v1 47309-00031USP1



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peter Van Voris et al.

Attorney Docket: 47309-
00031USP1

Serial No.: 10/005,804

Group Art: 1616

Filed: December 3, 2001

Examiner: N. Levy

Title: BARRIER PREVENTING WOOD
PEST ACCESS TO WOODEN
STRUCTURES

AMENDMENT AND RESPONSE TO OFFICE ACTION
DATED JANUARY 5, 2004

MS RCE
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF EXPRESS MAILING

Date of Deposit: July 2, 2004

Number: EL 831840687 US

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.0 on the date indicated above and is addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Signature Marge Caruso

Dear Commissioner:

This paper is submitted in response to the Office Action mailed January 5, 2004. With the enclosed petition for three-month extension of time, the period for response has been extended to July 5, 2004. Applicants respectfully request the Examiner to enter the following amendments and to consider the following remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.